

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LEGACY RESTORATION, LLC,

Plaintiff,

-against-

OSWALDO “JUNIOR” BARAJAS, JOHN DOE ENTITY
1, LEAH RAFFLES, and BRIAN WOLFF,

Defendants.
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TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants Oswaldo “Junior” Barajas (“Barajas”), Leah Raffles (“Raffles”), and Brian Wolff (“Wolff”) (Barajas, Raffles, and Wolff collectively hereinafter the “Individual Defendants”) pursuant to 28 U.S.C. § 1332, hereby remove this action from the Supreme Court of the State of New York, County of New York, Index No.: 653837/2025, where it is now pending, to the United States District Court for the Southern District of New York. In support of this Notice of Removal, the Individual Defendants respectfully aver as follows:

1. On June 26, 2025, Plaintiff, Legacy Restoration, LLC (hereinafter “Legacy” or the “Plaintiff”) filed a complaint against the Individual Defendants and John Doe Entity 1, alleging the following causes of action: (i) breach of contract against Barajas (three separate counts); (ii) misappropriation of trade secrets pursuant to New York State common law against all Defendants; (iii) civil conspiracy pursuant to New York State common law against all Defendants; and (iv) preliminary and permanent injunctive relief against all Defendants. See Legacy Restoration, LLC v. Barajas, et al.; Index No.: 653837/2025 (New York County Supreme Court), NYSCEF Docket Entry [1](#).

Case No.:

NOTICE OF REMOVAL

2. Plaintiff has not yet served the Individual Defendants, but provided notice of an Order to show cause filed together with the Summons and Complaint pursuant to 22 NYCRR § 202.7(f). Id., NYSCEF Docket Entry [3](#).

3. This action is a civil action to which this court has diversity jurisdiction pursuant to 28 U.S.C. § 1332 and is therefore an action that may be removed to this Court pursuant to 28 U.S.C. § 1441(a).

4. Specifically, the Individual Defendants are each citizens of the State of Tennessee.

5. Meanwhile, Plaintiff is a limited liability company organized under the laws of the State of Minnesota with its principal place of business, upon information and belief, in the State of Minnesota.

6. Plaintiff's sole member is Legacy Restoration Intermediate Holdings, LLC, which is a limited liability company organized under the laws of the State of Delaware with its principal place of business, upon information and belief, in the State of Delaware.

7. This Notice of Removal is timely filed, pursuant to 28 U.S.C. § 1446(b), because it has been filed prior to service being made on the Individual Defendants.

8. After filing this Notice of Removal, the Individual Defendants will promptly serve written notice of this Notice of Removal on counsel for all adverse parties and file the same with the Clerk of the Supreme Court of the State of New York, County of New York, in accordance with 28 U.S.C. § 1446(d).

9. By removing this action from the Supreme Court of the State of New York, County of New York, the Individual Defendants do not waive any defenses available to them.

10. By removing this action from the Supreme Court of the State of New York, County of New York, the Individual Defendants do not admit any of the allegations in Plaintiff's Complaint.

WHEREFORE, the Individual Defendants respectfully request, in accordance with the provisions of 28 U.S.C. §§ 1332 and 1441, that this action now pending in Supreme Court of the State of New York, County of New York, be removed to this Court, and that this Court proceed with this case as if originally initiated in this Court.

Dated: Forest Hills, New York
June 26, 2025

Respectfully submitted,

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